

REMARKS/RECONSIDERATION

Reconsideration is respectfully requested of the Final Office Action of August 21, 2007, relating to the above-identified application. A request for two month extension of time together with the associated fee is filed herewith.

The claims in the application are 1 to 4, 7 and 9 to 44. Claims 1 to 4 have been finally rejected in the Official Action of August 21, 2007, and Claims 7 and 9 to 27 have been withdrawn from consideration.

New claims 28 to 44 depend on claim 1 and are based on original claims 9-27. New claims 28-44 are related to the elected invention.

It is noted that the requirement for restriction has been made final and applicant reserves the right to file a divisional application in due course.

The rejection of Claims 1 to 4 under 35 U.S.C. § 102(b) as anticipated by JP 07-148451 is traversed and reconsideration is respectfully requested. The following comments apply to Claims 7 and 9 to 44 as well.

The Official Action points to the disclosure in the JP '451 document and particularly mentions the first separation tank (8), the floatation and dispersing agents adding means (11) and (12), first taking out means (13), circulating means (20), second separation tank (9), second taking out means (19, 18), foreign matter separating tank (26), stirring means (38), in the tank (26), foreign matter separating means (26F), third taking out means (32, 31), and centrifugation paint separation means (27).

In the Advisory Action as well as in the Final, it is alleged that the JP '451 document teaches the step of adding a dispersing agent and flocculation agents into the tank. The Advisory

Action mentions that means (11) and (12) disperse agents which coat the paint and transform the paint into flocks.

Applicants respectfully point out that the means by which “agents” are dispersed does not equate to dispersing a dispersing agent and flocculation agent. Claim 1 has been amended to incorporate the feature of claim 8. (Claim 7 has been similarly amended). The step of adding or feeding a dispersing agent and a floatation agent is an essential characteristic which patentably distinguishes over the cited prior art document represented by the Japanese document, JP 07-148451. By including the step of adding a dispersing agent and a floatation agent, it is possible to reduce the amount of the precipitated paint particles and to render the paint particles non-sticky. This is described on page 5, lines 14 to page 6, line 16 of the present application. As now clearly stated in claim 1, the dispersing agent results in finely dividing the paint particles and makes them non-sticky.

The cited document (JP ‘451) fails to disclose adding or feeding a dispersing agent and a floatation agent into a tank containing paint particles and accomplishing the result defined in claim 1.

The process shown in JP ‘451 introduces an alkali chemical into the liquid to adjust the liquid to alkalinity and to coat misty paint. No dispersing agent is disclosed for finely dividing and dispersing the paint particles for floating. Therefore, contrary to the statement in the Advisory Action JP ‘451 does not disclose the same function for the alkali as for applicant’s dispersing agent. The flocculent injection section which injects flocculants such as macromolecular polymer into the liquid for condensing paint particles in the shape of flocculants

and to produce a sludge of the misty paint, does not accomplish the step called for by claim 1, namely, for floating the particles, and not for producing a sludge.

JP '451 is contrary to the present invention and teaches away from the claimed invention.

Consequently, applicants respectfully submit that the JP '451 reference fails to describe each and every feature of the claimed invention as required by 35 U.S.C. § 102. Therefore, the rejection based on the construction of the reference is improper and should be withdrawn.

Favorable action at the examiner's earliest convenience is respectfully requested.

Respectfully submitted,

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